

SENATE TRANSPORTATION COMMITTEE

AMENDMENT NO. _____

Signature of Sponsor

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AMEND Senate Bill No. 1646*

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by deleting the language after the enacting clause in its entirety and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 55-4-201, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-201

(a) All special, free, honorary, memorial, or other special purpose motor vehicle registration plates now, or in the future, shall be issued under the provisions of this part, except cultural registration plates which shall be issued under the provisions of part 3 of this chapter. No plate, other than those issued under parts 1 and 3 of this chapter, shall be issued unless authorized in this part.

(b) All plates issued pursuant to this part shall be issued subject to the following:

(1) Payment of the applicable registration fee, except as specifically provided otherwise by §55-4-203 or any other applicable provision of this part;

(2) An additional fee of thirty-five dollars (\$35.00), except as specifically provided otherwise by §55-4-203 or any other applicable provision of this part; and

(3)

(A) A minimum order of at least one thousand (1,000) plates if the funds derived from the sale of such plates are allocated to the general fund, the highway fund, a department, agency or other

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instrumentality of state government, or to a special reserve fund to be utilized by a state agency to effectuate a purpose deemed to be in the state's best interest; or

(B) A minimum order of at least two thousand five hundred (2,500) plates if the funds derived from the sale of such plates are allocated to an entity other than a department, agency or other instrumentality of state government; and

(4) A design which shall be approved by the commissioner.

(c) The provisions of subsection (b)(3) shall apply equally to the renewal of any plate issued pursuant to this part; provided, however, any plate that fails to meet the minimum requirements of subsection (b)(3) for two (2) successive renewal periods after July 1, 1997 shall not be reissued or renewed and the commissioner shall notify the Tennessee code commission that the section of Tennessee Code Annotated authorizing the issuance of such plate is, on the basis of such inactivity, to be deemed obsolete and invalid.

(d) Any plate authorized by this part that has not qualified for initial issuance pursuant to previous law by July 1, 1998 shall not be issued and the commissioner shall notify the Tennessee code commission that the section of Tennessee Code Annotated authorizing the issuance of such plate is, on the basis of such inactivity, to be deemed obsolete and invalid.

(e) The provisions of subdivision (b)(3) and subsection (c) shall not apply to the following plates issued pursuant to this part:

(1) Dealer;

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- (2) Emergency;
- (3) "Enemy Evadee" as certified by the department of veterans' affairs;
- (4) Firefighter;
- (5) General assembly;
- (6) Governmental service;
- (7) Disabled;
- (8) Honorary Consular;
- (9) Judiciary;
- (10) Memorial;
- (11) Metropolitan council;
- (12) National guard;
- (13) Pearl Harbor survivors;
- (14) Sheriff;
- (15) United States house of representatives;
- (16) United States judge; and
- (17) United States senate.

SECTION 2. Tennessee Code Annotated, Section 55-4-202, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-202.

- (a) All registration plates issued under the provisions of this part shall be issued in one
- (1) of the following categories:

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- (1) Dealer;
- (2) Emergency;
- (3) Firefighter;
- (4) Government service;
- (5) Disabled;
- (6) General assembly;
- (7) Judiciary;
- (8) Memorial;
- (9) National guard;
- (10) Sheriff;
- (10) Special;
- (11) Street rod;
- (12) United States house of representatives;
- (13) United States judge;
- (14) United States military; and
- (15) United States senate.

(b) (1) Registration plates currently provided under the "dealer", "government service", "disabled", and "national guard" categories shall be issued in design configurations and colors which distinguish the plates from those of other categories, and in a manner which would avoid confusion with any other registration plates.

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(2) Registration plates issued in any other category shall be issued in a design configuration distinctive to that category and determined by the commissioner, and shall bear at the top of the plate the word "Tennessee" or "Tenn" and at the bottom the name of the category. In addition, the plates in each category may bear identifying letter prefixes to distinguish the group within the category, and shall bear identifying number suffixes to identify the individual registrant.

(c) The groups within each category having multiple plates shall be as follows:

(1) Emergency:

- (A) Auxiliary police;
- (B) Civil air patrol;
- (C) Civil defense; and
- (D) Rescue squad.

(2) Judiciary:

- (A) Supreme court;
- (B) Court of appeals;
- (C) Court of criminal appeals;
- (D) Chancery court;
- (E) Circuit court;
- (F) Probate court;
- (G) Juvenile court;
- (H) General sessions court;

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(I) Retired judges of courts, not-of-record; and

(J) Elected municipal court judges.

(3) National Guard:

(A) Enlisted;

(B) Officers; and

(C) Retirees.

(4) Special:

(A) Agriculture;

(B) Alpha Kappa Alpha Sorority;

(C) Alpha Phi Alpha;

(D) Amateur radio;

(E) Anti-crime;

(F) B'nai B'rith;

(G) Civitans;

(H) Delta Sigma Theta Sorority, Inc.;

(I) Ducks Unlimited;

(J) Eastern Star;

(K) Exchange Club;

(L) Fraternal Order of Police;

(M) Friends of Great Smoky Mountains;

(N) Helping school volunteer;

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- (O) Honorary Consular;
- (P) International Association of Firefighters;
- (Q) Jaycees;
- (R) Junior chamber of commerce;
- (S) Junior League;
- (T) Kappa Alpha Psi;
- (U) Kiwanis;
- (V) Knights of Columbus;
- (W) Lions Club;
- (X) Masons;
- (Y) Metropolitan council;
- (Z) Mothers Against Drunk Driving;
- (AA) NAACP;
- (BB) National Exchange Club/Tennessee District Exchange Clubs;
- (CC) Non-game and endangered wildlife species;
- (DD) Omega Psi Phi;
- (EE) Optimists;
- (FF) Passenger rail service;
- (GG) Phi Beta Sigma;
- (HH) Police benevolent association;
- (II) Rotary International;

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(JJ) Senior citizens;

(KK) Sertoma Club;

(LL) Shriner;

(MM) Sigma Gamma Rho;

(NN) Supporters of Saint Jude Children's Research Hospital;

(OO) Tennessee Home Education Association;

(PP) Tennessee State Employees Association;

(QQ) Tennessee Walking Horse;

(RR) The Games of the XXVI Olympiad;

(SS) Toastmasters; and

(TT) Zeta Phi Beta.

(5) Memorial:

(A) Air Force Cross recipient;

(B) Disabled veteran;

(C) Distinguished Service Cross recipient;

(E) Former prisoner of war;

(F) Medal of honor recipient; and

(G) Navy Cross recipient; and

(6) United States military:

(A) Combat veterans;

(B) Marine Corps League;

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- (C) United States military, active forces;
- (D) United States military, retired;
- (E) Honorably discharged veterans of the United States armed forces;
- (F) U.S. reserve forces;
- (G) "Enemy evadee" as certified by the department of veterans' affairs;
- (H) Pearl Harbor survivors; and
- (I) Holder of the Purple Heart.

(d) No registration plate shall be issued under the provisions of this section unless otherwise authorized by this part or in issue on July 1, 1984. Registration under this part is supplemental to the motor vehicle title and registration law, compiled in chapters 1-6 of this title, and nothing in this part shall be construed as abridging or amending that law. An applicant with more than one (1) motor vehicle titled or leased in that applicant's name, or applicants with more than one (1) motor vehicle jointly titled and/or leased in their names are entitled to an unlimited number of registration plates under the applicable provision of law; provided, that such plates may only be issued for private passenger automobiles, one-half (1/2) or three-quarter (3/4) ton pickup trucks, recreational vehicles or panel vans, as long as all other special fees and regular costs are paid by the applicant and all requirements set out in title 55, chapter 4, parts 1, 2 and 3 are followed; and provided further, that no person shall receive more than one (1) free plate unless the issuance of additional free plates is specifically authorized by the section creating such special plate.

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(e) (1) The commissioner shall cause to be manufactured metal plates of distinctive design for various groups included in the emergency category. Upon application by the president, or other chief executive officer, of recognized organizations of persons in the various groups in the emergency category containing a certified listing of the members of that organization and their motor vehicle registration numbers, the commissioner shall sell, at a cost of two dollars and fifty cents (\$2.50) each, to such chief executive officer the appropriate number of plates for distribution to each listed person, with a plate for display on the front of each vehicle registered by that person in the emergency category.

(2) These plates shall be for identification purposes only and shall not be valid for motor vehicle operation. The plates shall be issued only for the term of the emergency category registration plate, and shall be surrendered by the holder at such time as the holder's emergency registration expires or the holder ceases to be a member of the group included in the emergency category.

(3) It is a Class A misdemeanor to display this plate on any vehicle that is not properly registered in the emergency category.

(f) Registration plates issued to United States judges, United States senators, and members of the United States house of representatives shall be of a distinctive design approved by the department and shall bear, as applicable, the district number of house members, the number "1" or "2" for senators, based on seniority, and the appropriate number for judges, based on seniority of appointment. Unless a conflict exists with other designs, the designs used before July 1, 1984, shall be used.

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(g) Registration plates issued to shriners shall be of a special distinctive design devised by the commissioner, and shall be available to any shriner submitting satisfactory proof of such membership. Notwithstanding the provisions of subsection (d), such special plates shall also be available for motorcycles.

(h) Whenever a spouse having a special plate is divorced and no longer entitled to a special plate, the spouse no longer entitled to the special plate shall deliver the special plate to the county clerk, and the county clerk shall issue a regular plate valid for the same period as the special plate.

SECTION 3. Tennessee Code Annotated, Section 55-4-203, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-203

In addition to title, registration, transfer or other fees or taxes otherwise applicable under this title, persons applying for and receiving registration plates under this part shall pay additional fees as follows:

- (1)
 - (A) Dealers, as provided for in § 55-4-221;
 - (B) Emergency - regular fee applicable to the vehicle and as provided for in §55-4-222;
 - (C) Firefighter - regular fee applicable to the vehicle and as provided for in §55-4-241;
 - (D) Government service - as provided for in § 55-4-223;

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(E) Disabled - regular fee applicable to the vehicle, except as expressly provided otherwise in §55-21-103;

(F) General assembly - thirty-five dollars (\$35.00);

(G) Judiciary - thirty-five dollars (\$35.00);

(H) National guard: enlisted, officers and retirees - as provided for in §55-4-228;

(I) Sheriff - thirty-five dollars (\$35.00);

(J) Street rod - as provided for in § 55-4-230;

(K) United States house of representatives - thirty-five dollars (\$35.00);

(L) United States judge - thirty-five dollars (\$35.00); and

(M) United States senate - thirty-five dollars (\$35.00);

(2) The following plates shall be issued free of charge, provided that the appropriate criteria are met by the applicant:

Memorial:

(A) Former Prisoner of War;

(B) Disabled Veterans, including those disabled veterans who choose to receive the Purple Heart plate pursuant to § 55-4-239(f);

(C) Medal of Honor recipients;

(D) Distinguished Service Cross recipients;

(E) Air Force Cross recipients; and

(F) Navy Cross recipients.

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(3) The following plates shall be issued upon the payment of the regular registration fee and a fee equal to the cost of actually producing the plates, provided that issuance of such plates shall be revenue neutral:

United States military:

- (A) Combat veterans;
- (B) Marine Corps League;
- (C) United States military, active forces;
- (D) United States military, retired;
- (E) Honorably discharged veterans of the United States armed forces;
- (F) U.S. reserve forces;
- (G) "Enemy evadee" as certified by the department of veterans' affairs;
- (H) Pearl Harbor survivors; and
- (I) Holder of the Purple Heart;

(4) All other special plates authorized by this part shall be issued upon the payment of a fee of thirty-five dollars (\$35.00) in addition to the regular registration fee.

SECTION 4. Tennessee Code Annotated, Section 55-4-224, is amended by deleting the language "handicapped drivers" and by substituting instead the language "disabled drivers".

SECTION 5. Tennessee Code Annotated, Section 55-4-229(b), is amended by deleting such subsection in its entirety and by substituting instead the following language:

(b) The initial issuance of a special license plate to such applicant shall be made upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, and upon

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payment of the fee prescribed under § 55-4-203. Thereafter, annual renewal to a qualified resident shall be as provided by this chapter. The special license plate issued pursuant to this section for private passenger cars and motorcycles shall bear the official amateur radio call letters of such applicant assigned by the federal communications commission.

SECTION 6. Tennessee Code Annotated, Section 55-4-235(c), is amended by deleting such subsection in its entirety and by substituting instead the following:

(c) Additional such license plates may be obtained by any such former prisoner of war or eligible surviving spouse upon payment of the regular license fee for plates, as prescribed under §55-4-111, plus the payment of a fee equal to the cost of actually producing the plate.

SECTION 7. Tennessee Code Annotated, Section 55-4-239(a), is amended by deleting the second sentence thereof in its entirety.

SECTION 8. Tennessee Code Annotated, Section 55-4-239(e), is amended by deleting therefrom the language ", including the supplemental twenty-five dollar (\$25.00) special fee, if still applicable to this category of plates,".

SECTION 9. Tennessee Code Annotated, Section 55-4-240, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-240.

Memorial registration plates shall be issued in accordance with the provisions of this part and § 55-4-235 pertaining to former prisoners of war, § 55-4-236 pertaining to recipients of the

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medal of honor, distinguished service cross, air force cross and navy cross, and § 55-4-237
pertaining to disabled veterans.

SECTION 10. Tennessee Code Annotated, Section 55-4-242(a), is amended by deleting
the second sentence of such subsection in its entirety.

SECTION 11. Tennessee Code Annotated, Section 55-4-247(a), is amended by
deleting such subsection in its entirety and by substituting instead the following:

(a) Owners or lessees of motor vehicles or recreational vehicles who are
residents of the state of Tennessee, upon complying with state motor vehicle or
recreational vehicle laws relating to registration and licensing of motor vehicles or
recreational vehicles, and paying the regular fee applicable to the motor vehicle or
recreational vehicle and the fee provided for in § 55-4-301, shall be issued a Penn State
University special license plate, either for an automobile, recreational vehicle, or a truck
of one-half (1/2) or three- quarter (3/4) ton rating.

SECTION 12. Tennessee Code Annotated, Section 55-4-247(b), is amended by
deleting such subsection in its entirety.

SECTION 13. Tennessee Code Annotated, Section 55-4-247(c), is amended by
deleting the language “§55-4-202” and by substituting instead the language “§§55-4-302 and
55-4-303”.

SECTION 14. Tennessee Code Annotated, Section 55-4-247(d)(1), is amended by
deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

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SECTION 15. Tennessee Code Annotated, Section 55-4-247(e), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

SECTION 16. Tennessee Code Annotated, Section 55-4-250(a), is amended by deleting such subsection in its entirety and by substituting instead the following:

(a) Owners or lessees of motor vehicles or recreational vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle or recreational vehicle laws relating to registration and licensing of motor vehicles or recreational vehicles, and paying the regular fee applicable to the motor vehicle or recreational vehicle and the fee provided for in § 55-4-301, shall be issued a University of Florida special license plate, either for an automobile, recreational vehicle, or a truck of one-half (1/2) or three- quarter (3/4) ton rating.

SECTION 17. Tennessee Code Annotated, Section 55-4-250(b), is amended by deleting such subsection in its entirety.

SECTION 18. Tennessee Code Annotated, Section 55-4-250(c), is amended by deleting the language “§55-4-202” and by substituting instead the language “§§55-4-302 and 55-4-303”.

SECTION 19. Tennessee Code Annotated, Section 55-4-250(d)(1), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

SECTION 20. Tennessee Code Annotated, Section 55-4-250(e), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

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SECTION 21. Tennessee Code Annotated, Section 55-4-251(a), is amended by deleting such subsection in its entirety and by substituting instead the following:

(a) Owners or lessees of motor vehicles or recreational vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle or recreational vehicle laws relating to registration and licensing of motor vehicles or recreational vehicles, and paying the regular fee applicable to the motor vehicle or recreational vehicle and the fee provided for in § 55-4-301, shall be issued a University of Arkansas special license plate, either for an automobile, recreational vehicle, or a truck of one-half (1/2) or three- quarter (3/4) ton rating.

SECTION 22. Tennessee Code Annotated, Section 55-4-251(b), is amended by deleting such subsection in its entirety.

SECTION 23. Tennessee Code Annotated, Section 55-4-251(c), is amended by deleting the language “§55-4-202” and by substituting instead the language “§§55-4-302 and 55-4-303”.

SECTION 24 Tennessee Code Annotated, Section 55-4-251(d)(1), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

SECTION 25. Tennessee Code Annotated, Section 55-4-251(e), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

SECTION 26. Tennessee Code Annotated, Section 55-4-256(a), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

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SECTION 27. Tennessee Code Annotated, Section 55-4-256(b), is amended by deleting the language “§55-4-202” and by substituting instead the language “§§55-4-302 and 55-4-303”.

SECTION 28. Tennessee Code Annotated, Section 55-4-256(c)(1), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

SECTION 29. Tennessee Code Annotated, Section 55-4-256(d), is amended by deleting the language “§55-4-203” and by substituting instead the language “§55-4-301”.

SECTION 30. Tennessee Code Annotated, Section 55-4-264, is amended by adding the following language as a new subsection (c):

(c) Effective July 1, 1999, the provisions of subsection (b) shall be void and of no effect. On and after July 1, 1999, the funds derived from the sale and subsequent renewals of the special plates authorized by Acts 1996, ch. 914, after deducting the expense the state has incurred in designing and manufacturing such plates, shall be distributed as earmarked in subsection (a) with no further payments going to the general fund from the sale or renewal of such plates; provided, however, such special plates shall meet the minimum issuance requirements of §55-4-201.

SECTION 31. Tennessee Code Annotated, Title 55, Chapter 4 , Part 2, is amended by adding the following language as a new Section 55-4-276:

Section 55-4-276.

Effective July 1, 1999, any provision of this part that requires that the funds derived from the sale of the first one thousand (1,000) plates of any special plate be distributed to the general

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fund in the first fiscal year of such plate's issuance shall be void and of no effect. On and after July 1, 1999, the funds derived from the sale and subsequent renewals of such special plates, after deducting the expense the state has incurred in designing and manufacturing such plates, shall be distributed as earmarked in the section authorizing such special plates with no further payments going to the general fund from the sale or renewal of such plates; provided, however, such special plates shall meet the minimum issuance requirements of §55-4-201.

SECTION 32. Tennessee Code Annotated, Section 55-4-301, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-301

(a) As used in this part, "cultural motor vehicle registration plates" or "cultural plates" means motor vehicle registration plates issued for a passenger motor vehicle, recreational vehicle or motorcycle, having on them not less than three (3) nor more than seven (7), for a passenger motor vehicle or recreational vehicle, or not less than three (3) nor more than six (6), for a motorcycle, identifying numbers, letters, or a combination thereof, as requested by the owner or lessee of the vehicle to which such registration plates are assigned. The fee for such personalized plates shall be thirty-five dollars (\$35.00) in addition to the regular registration fee.

(b) "Cultural motor vehicle registration plates" or "cultural plates" also means motor vehicle registration plates issued for a passenger motor vehicle, recreational vehicle or motorcycle which have a special reference to or identification or information on: (1) a two-year or four-year college or university located within Tennessee which

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guarantees a minimum order of at least one hundred (100) such plates or, (2) a four-year college or university located outside Tennessee which guarantees a minimum order of at least two hundred fifty (250) such plates.

(c) The minimum issuance requirements established in subsection (b) shall apply equally to the renewal of any college cultural plate issued pursuant to such subsection; provided, however, any college cultural plate that fails to meet such minimum requirements for two (2) successive renewal periods after July 1, 1997 shall not be reissued or renewed. The fee for such college cultural plates and all other cultural plates shall be thirty-five dollars (\$35.00) in addition to the regular registration fee.

SECTION 33. Tennessee Code Annotated, Section 55-4-302, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-302

(a) Any person who is the owner or lessee of a passenger motor vehicle, recreational vehicle or motorcycle registered with the department of safety or who makes application for an original registration of a passenger motor vehicle, recreational vehicle or motorcycle or renewal registration of a passenger motor vehicle, recreational vehicle or motorcycle may, upon payment of a fee of thirty-five dollars (\$35.00), in addition to the regular registration fee, apply to the department, through the county clerk, for cultural motor vehicle registration plates, in the form and manner provided in § 55-4-303, which registration plates shall be affixed to the passenger motor vehicle, recreational vehicle or motorcycle for which registration is sought in lieu of the regular registration plates. The provisions of this section shall apply to any person

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who leases and operates a passenger motor vehicle, recreational vehicle or motorcycle registered with the department.

(b) A person may, through the payment of a fee of seventy dollars (\$70.00) in addition to the regular registration fee, obtain a cultural motor vehicle registration plate containing a personalized combination of not less than three (3) nor more than seven (7) numbers, letters, or a combination thereof.

SECTION 34. Tennessee Code Annotated, Section 55-4-307, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-307

Except as expressly provided otherwise by this part, all revenues produced each fiscal year from the sale of cultural motor vehicle registration plates shall be allocated to the Tennessee arts commission created in title 4, chapter 20.

SECTION 35. Tennessee Code Annotated, Section 55-4-313, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 55-4-313.

Registration plates for the arts may be issued on the same basis as cultural plates upon the payment of the appropriate fees in accordance with the provisions of this part concerning the issuance of cultural license plates. The cultural plates issued pursuant to this section shall be subject to a minimum issuance requirement of at least one thousand (1,000) plates for all such plates issued. The Tennessee arts commission shall determine the colors and designs of

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such plates. The additional thirty-five dollar (\$35.00) fee shall be paid over to the Tennessee arts commission.

SECTION 36. Tennessee Code Annotated, Section 55-4-314, is amended by deleting such section in its entirety and by substituting instead the following:

Section 55-4-314

Notwithstanding any provision of law to the contrary, the additional revenues generated by the additional thirty-five dollar (\$35.00) fee for the personalization of any cultural license plate authorized by this part shall be allocated as provided in § 55-4-307.

SECTION 37. Tennessee Code Annotated, Section 55-4-315(c), is amended by deleting the language “twenty-five dollars (\$25.00),” and by substituting instead the language “thirty-five dollars (\$35.00),”.

SECTION 38. Tennessee Code Annotated, Section 55-4-315(d), is amended by deleting such subsection in its entirety.

SECTION 39.

(a) The Tennessee code commission is directed to transfer §§55-4-247, 55-4-250, 55-4-251 and 55-4-256 to Tennessee Code Annotated Title 55, Chapter 4, Part 3, and to designate such sections as §§ 55-4-317, 55-4-318, 55-4-319 and 55-4-320, respectively.

(b) Effective July 1, 1997, the motor vehicle registration plates authorized by the sections enumerated in subsection (a) shall be deemed college cultural motor vehicle registration plates and shall be issued and renewed pursuant to the provisions

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Tennessee Code Annotated, §55-4-301(b), relative to the issuance of cultural plates for four-year colleges and universities located outside Tennessee, and other applicable provisions of Tennessee Code Annotated, Title 55, Chapter 4, Part 3. The revenues derived from the sale and subsequent renewals of such college cultural plates shall be distributed in accordance with Tennessee Code Annotated, §55-4-307.

SECTION 40. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following language as new sections thereto:

Section 55-4-320.

(a) All motor vehicle registration plates issued pursuant to this part shall be issued subject to the following:

- (1) Payment of the regular applicable registration fee;
- (2) An additional fee of thirty-five dollars (\$35.00); and
- (3)

(A) Except as provided in §§ 55-4-301 and 55-4-313, a minimum order of at least one thousand (1,000) plates if the funds derived from the sale of such plates are allocated to the general fund, the highway fund, a department, agency or other instrumentality of state government, or to a special reserve fund to be utilized by a state agency to effectuate a purpose deemed to be in the state's best interest; or

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(B) A minimum order of at least two thousand five hundred (2,500) plates if the funds derived from the sale of such plates are allocated to an entity other than a department, agency or other instrumentality of state government.

(b) The provisions of subdivision (a)(3) shall apply equally to the renewal of any plate issued pursuant to this part; provided, however, any plate that fails to meet the minimum requirements of subdivision (a)(3) for two (2) successive renewal periods after July 1, 1997 shall not be reissued or renewed and the commissioner shall notify the Tennessee code commission that the section of Tennessee Code Annotated authorizing the issuance of such plate is, on the basis of such inactivity, to be deemed obsolete and invalid.

(c) Any plate authorized by this part that has not qualified for initial issuance pursuant to previous law by July 1, 1998 shall not be issued and the commissioner shall notify the Tennessee code commission that the section of Tennessee Code Annotated authorizing the issuance of such plate is, on the basis of such inactivity, to be deemed obsolete and invalid.

Section 55-4-322.

(a) The department is authorized to issue cultural plates containing no registration numbers or other identifying symbols to be displayed exclusively on the front of a motor vehicle and for decorative purposes only. Such plates shall be of a distinctive design and shall in no instance imitate or duplicate the design of any currently issued special or cultural motor vehicle registration plate. Nothing in this section shall be construed to authorize the use of a decorative cultural plate as a motor vehicle registration plate.

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(b) The fee for such decorative cultural plates shall be ten dollars (\$10.00) per plate.

There shall be no limitation on the number of such plates that an applicant may purchase.

(c) The funds generated from the sale of such decorative cultural plates, after deducting the costs actually incurred by the department in producing such plates, shall be allocated as follows:

(1) Two dollars (\$2.00) per plate shall be allocated to the county clerk issuing such plate to defray administrative and processing costs; and

(2) The remainder of such funds shall be allocated to the Tennessee arts commission.

(d) For each decorative cultural plate purchased by mail pursuant to this section, the respective county clerks of this state are authorized to impose and collect an additional fee of two dollars (\$2.00) per plate for postage and handling expenses.

(e) The minimum issuance requirements for cultural motor vehicle registration plates established in §55-4-321(a)(3) and (b) shall not apply to the issuance of the decorative cultural plates authorized by this section.

Section 55-4-323.

Effective July 1, 1999, any provision of this part that requires that the funds derived from the sale of the first one thousand (1,000) plates of any cultural plate be distributed to the general fund in the first fiscal year of such plate's issuance shall be void and of no effect. On and after July 1, 1999, the funds derived from the sale and subsequent renewals of such cultural plates, after deducting the expense the state has incurred in designing and

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manufacturing such plates, shall be distributed as earmarked in the section authorizing such cultural plate with no further payments going to the general fund from the sale or renewal of such plates; provided, however, such cultural plates shall meet the minimum issuance requirements of §55-4-321.

SECTION 41. The Tennessee code commission is directed to delete the appropriate sections or subsections of Tennessee Code Annotated as such sections or subsections are deemed obsolete and invalid pursuant to the provisions of this act or are deemed void and of no effect pursuant to the provisions of this act.

SECTION 42. The commissioner of safety is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 43. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 1997.

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